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MASSACHUSETTS COMMISSION

ON INDIAN AFFAIRS

1985

ANNUAL REPORT

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The Commonwealth of Massachusetts
Commission on Indian Affairs

John W. McCormack Building
One Ashburton Place - Rm. 1004

Boston, Mass. 02108

Telephone 617-727-6394 / 6966

MICHAEL S. DUKAKIS

GOVERNOR

AMY S. ANTHONY

SECRETARY

JOHN A. PETERS

EXECUTIVE DIRECTOR

Michael S. Dukakis
 Governor of The Commonwealth of Massachusetts
 State House, Room 360
 Boston, MA 02133

Dear Governor Dukakis:

I am proud to present to you the 1985 Annual Report for the Massachusetts Commission on Indian Affairs. This report is an overview of the goals, objectives, and accomplishments of the Commission. It is consistent with our efforts to advocate for, and assist our Native American constituency.

This year, under Chapter 659 of the Acts of 1983, we were able to postpone excavation on a number of project developments where evidence suggested there was a possible Indian burial ground or a grave. We assisted the State Archaeologist in several archaeological surveys and were able to protect a few sites from possible disturbance or desecration.

We look forward to your continued support.

Sincerely,

John A. Peters
 Executive Director

JAP:ch

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CREATION OF THE MASSACHUSETTS COMMISSION ON INDIAN AFFAIRS

The Massachusetts Commission on Indian Affairs was created in 1974 by an act of the legislature. Administratively, the Commission is housed within the Executive Office of Administration and Finance, although when its first annual budget was allocated in 1976 the Commission was temporarily housed within the Executive Office of Communities and Development.

The Commission is comprised of seven members who are appointed by the Governor for three year terms. All members are of Native American descent and represent the major tribes located within the Commonwealth. These include the Mashpee Wampanoags, Gay Head Wampanoags, and Nipmucks. From its membership, a chairperson and other officers are elected, each who serve for a term of one year. The Commission meets at least four times annually, but may meet more often if the Commissioners deem it necessary in order to address the needs of their Native American constituency.

The mandate of the Commission is to investigate problems common to Native Americans who are residents of the Commonwealth. As a means to accomplish this goal, the Commission assists tribal councils, Native American organizations, and individuals in their relationships with agencies of state and local governments. The Commission also provides assistance to Native Americans regarding social services, education, employment opportunities, health, housing problems, civil rights, legal aid, treaties, and any other rights or services concerning Native American residents of the Commonwealth. Another responsibility is to assist federal

and state authorities in the taking of a census of Native American residents of the Commonwealth.

In addition, the Commission makes recommendations to the Secretary of Communities and Development concerning programs and policies that will best serve the interests of the Native American residents of the Commonwealth. An annual report outlining its various activities is submitted to the Secretary.

COMMISSION MEMBERS

In accordance with the provisions of the legislation establishing the Massachusetts Commission on Indian Affairs, seven Native Americans have been appointed by the Governor to serve as Commissioners for three year terms. The Commissioners for 1985 are as follows:

| <u>NAME</u> | <u>TRIBAL AFFILIATION</u> | <u>AREA OF REPRESENTATION</u> |
|--|-------------------------------|-------------------------------|
| Hannah M. Averett, Chairp. Great Neck Road Mashpee, MA 02649 Tel. # (617) 477-9362 | Mashpee Wampanoag | Cape Cod |
| Gladys A. Widdiss, V. Chairp. 172 School Street Wayland, MA 01778 Tel. # (617) 653-7691 | Gay Head Wampanoag | Gay Head |
| Edith Andrews 149 Clarendon Street No. Dartmouth, MA 02747 Tel # (617) 994-4745 | Gay Head Wampanoag | Bristol County |
| Dr. Helen Attaquin 74 East Grove Street Middleboro, MA 02346 Tel. # (617) 947-1534 | Gay Head Wampanoag | Plymouth County |
| Robert N. Clark 205 Rocky Hill Road Northampton, MA 01060 | Gay Head Wampanoag | Western Mass. |
| John S. Sapiel 229 Jones Road Falmouth, MA 02540 Tel. # (617) 548-2593 | Penobscot | Boston (resigned 9/23/85) |
| Lucyann Swenson 20 Singletary Avenue Sutton, MA 01527 Tel. # (617) 865-9828 | Chaubunagungamaug- Nipmuck | Nipmuck |

BUDGET FOR FISCAL YEAR 1986

The Massachusetts Commission on Indian Affairs requested a budget allocation from the legislature of \$147,030 for fiscal year 1986. The actual appropriation, however, amounted to \$85,185, which was sufficient only for basic maintenance of the Commission's activities.

The following is a detail of the budget:

| <u>Category</u> | <u>Code</u> | <u>Amount</u> |
|----------------------|-------------|---------------|
| Salaries | (02) | \$ 61,710 |
| Contractual Services | (03) | 1,299 |
| Re-burial Expenses | (07) | 5,100 |
| Travel Expenses | (10) | 10,000 |
| Office Expenses | (14) | 6,146 |
| Rentals | (16) | 860 |
| | | <hr/> |
| Total | | \$ 85,185 |

INDIAN BURIAL SITES

A common concern of Native Americans of Massachusetts, which is shared with Native American communities nationally, is the treatment of Indian burial remains. Over the last year, remains at four sites within the state have been investigated to determine if they are in fact Native American so that they can be disposed of in a traditional manner.

Uxbridge. At the end of March, 35 Native American graves were discovered while the Department of Public Works (DPW) was making preparations to build a ramp over a road located on Route 146. A group of interested individuals visited the site to investigate the remains, including John Peters (Executive Director); Commissioner Swenson; the State Archaeologist; DPW crew members; representatives of the local Historical Society; and a number of Native Americans who reside in the immediate area. The remains have been disinterred and at present are being examined by scientist at Boston University.

Westfield. In April a resident of Westfield uncovered some remains that she believed to be Native American while digging a swimming pool. The Executive Director of the Commission, John Peters; and members of the U-Mass. archaeology team went out to the site to confirm the finding. The State Archaeologist took possession of the remains and then turned them over to Brown University in Providence, Rhode Island for examination by a physical anthropologist.

Northampton. A site near the Connecticut River that was discovered approximately ten years ago, was recently visited by John Peters. It seems that at time of discovery, the site was not moved because there was no

apparent danger of disinterment. Now it seems that the water from the river washed over the banks into the area, causing the remains to become exposed. The team of archaeologists from the University of Massachusetts in Amherst and the State Archaeologist exhumed the skeletal remains and transported them to the University. They have since been brought to Brown University where they await examination by experts.

Framingham. A few years ago the Framingham Historical Society sent a box of remains, which they believed to be those of Native Americans, to the Office of the Commission on Indian Affairs. The remains were turned over to the State Archaeologist who had them examined by a physical anthropologist. The anthropologist found that the remains were those of two Native American boys who at the time of death were between the ages of eleven and fifteen years old.

LEGISLATION

Throughout the year, the Commission was active in two major areas of legislation. These efforts are outlined below.

Establishment of Indian Housing Authorities. The hearing for House Bill #1563 was held on Wednesday, March 13, 1985 before the Committee on Housing and Urban Development. Members of the Commission on Indian Affairs and representatives from the Boston Indian Council testified on behalf of the bill. It was passed favorably and went to the House Ways and Means Committee. John Peters, Executive Director of the Commission, enlisted the assistance of Representatives Rushing and Cahir in an attempt to move the bill out of Committee. No further action, however, was taken on the bill and it died in House Ways and Means Committee in December.

An Act to Prevent the Breakup of American Indian Families and to Establish Standards for Removing and Placing Indian Children Away from their Families. The hearing for Senate Bill #972 was held on Thursday, March 14, 1985. Representatives from the Commission on Indian Affairs and the Boston Indian Council provided testimony supporting the bill before the Committee on Human Services and Elderly Affairs. It was reported out of the Committee favorably and sent to Senate Ways and Means Committee. With the assistance of Senator Backman, an unsuccessful attempt was made to move the bill out of the Senate Ways and Means Committee. No further action was taken, resulting in the demise of the bill in December.



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MEMO TO: MASSACHUSETTS COMMISSION ON INDIAN AFFAIRS
 FROM: DORIS NORMAN, CHAIRMAN MASSACHUSETTS STATE SCHOLARSHIP COMMITTEE
 RE: ANNUAL REPORT

This report covers the period from January 1985 to January 1986 during which time the Committee has been involved in conducting its official business of evaluating student applications for scholarship approval. The Committee members which have been involved in the past years evaluation process have included Tom Bryce, representing Boston Indian Council; Russell Peters, representing the Mashpee Wampanoag Tribe, and I, Doris Norman, representing the Commission on Indian Affairs. The Committee wishes to note that during the year in question, there was not attendance at any of our scheduled meetings from the Gay Head Wampanoag representative nor the Nipmuck representative. It should be further noted that on January 14, 1986 this chairperson received a letter of resignation from Elizabeth Santana, the appointed Nipmuck representative. The Committee expects to continue in its identified role of application evaluation and other attendant issues during the coming year.

For the Fall Semester of 1985 the Committee approved a total of 55 applications for the scholarship awards. Of that number, 30 students received

scholarships based on the Indian Education Act passed by the legislature. Twenty-five students received coverage from the annual \$35,000 budget item. The schools to which those students were accepted included University of Massachusetts-Boston, University of Massachusetts-Amherst, Southeastern Massachusetts University, University of Lowell, North Adams State College, Fitchburg State College, Westfield State College, Bridgewater State College, Salem State College, Massachusetts College of Art, Springfield Technical Community College, Massasoit Community College, Bunker Hill Community College, Roxbury Community College, Cape Cod Community College, Mount Wachusett Community College, and Middlesex Community College.

Tribal representation among those students accepted included 27 Wampanoags, 2 Nipmucs, 1 Penobscott/Passamaquoddy, 12 MicMacs, and 13 non-indigenous tribes including Cheyenne River Sioux, Oglala Sioux, Hopi, Ojibwa/Mohawk, Eskimo, Schaghticoke, Narragansett, and Southern Cherokee.

By the time the Committee turned its attention to approving Spring 1986 applications, we discovered that 12 students who had been previously approved for Fall 1985 had not taken up their positions as students in their respective schools for Fall 1985. In most cases, those students neglected to notify the Committee that they were not in attendance.

Having set a deadline of December 31, 1985 by which time each student had to notify the Committee of its intention to continue studies in the second semester and to provide the Committee with written documentation as to Native American ancestry, the early days in the new year were spent by the Committee in an effort to procure that documentation. The Committee received notifications and documentation from 32 students for the Spring Semester 1986. Additionally, 2 new applications were approved, one of which

was Wampanoag and the other Croatan. Both provided the necessary documentation. The Committee is holding the names of 2 applicants until such time as it receives the required ancestry documentation.

Documentation which each student provided us was in the form of a tribal council letter and/or band number or an official birth certificate. All approved students, then, supplied the Committee with one of those two required forms. Only those 2 students who are on hold failed to meet the documentation requirement.

In reference to other issues of concern to the Committee are:

- 1) The need of a tracking system to keep abreast of all applicants who have been scholarship approved.
- 2) Reimbursement for parking fees of Committee members who attend these downtown meetings.
- 3) A Committee meeting place which will not necessitate that one or two people continually be involved in the commute.

Copies of this report will be made available immediately to all Commissioners.



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TO: Massachusetts Commission on Indian Affairs
 FROM: Kenneth D. Attocknie, Project Coordinator
 RE: Report on the Indian Child Welfare Project

The Commission instituted a project this year to facilitate the placement of Indian children who are in need of foster care in Native American families. Native American families were identified that would be willing to provide foster care. This project is consistent with widespread concern nationally by Indian tribes over the custody of Indian children by non-Native Americans. Specifically, the federal Indian Child Welfare Act was passed in 1978 in response to the realization that Indian children were not being provided culturally relevant foster care and were being adopted out to non-Native Americans at an alarming rate. The act governs adoption and child custody proceedings involving Indian children, including foster care placement.

The project sponsored by the Commission has primarily focused on receiving foster family recommendations from officials of Native American communities and organizations throughout the state. Officials were contacted both in person and by telephone to advise them of the interest of the Commission in advocating in the area of Indian child welfare and of providing whatever assistance possible to its constituency. The initial

response from tribes and organizations was limited, suggesting, perhaps, that Indian governments and administrations had not in the past been geared toward addressing this need in their communities. Despite a limited initial response, a secondary goal of establishing a liaison with various communities and organizations on the issue of Indian child welfare was accomplished, which should facilitate future efforts in this area.

Tangible accomplishments of the project thus far include an indication by four Native American foster families that they would be willing to present themselves to the Department of Social Services (DSS) to undergo a screening process. In addition, Mashpee may have two or three recommendations; Amherst, Lowell, and Bristol County possibly have one recommendation each; and the Boston Indian Council may, as well, have one. These recommendations are, however, unofficial at this time.

In summary, the Commission on Indian Affairs has in its possession a listing of four families who are willing to provide foster care and cooperate with DSS. The Commission also tentatively may receive six or seven additional recommendations from various sources, resulting in a total of ten to eleven potential foster care providers in the near future.

COMMUNITY OUTREACH BY COMMISSIONERS

Members of the Massachusetts Commission on Indian Affairs attended various community functions over the past year expressly to make themselves available as resource persons to both Native American communities and the general public. For example, Commissioners attended the various pow wows across the state. A number of requests were made by community, school, and church organizations interested in Native culture and history for representatives from the Commission to attend various forums. Collectively, many of these requests were accommodated by the Commissioners. Finally, the Executive Director visited most of the tribal councils and groups in the state in an effort to involve the Commission directly in the affairs of the constituent Indian communities.

OPEN MEETINGS

The Commission on Indian Affairs made a decision to hold quarterly Open Meetings as a means to better serve its Native American constituency. A major purpose of the meetings is to provide a forum for members of various Native American communities statewide to personally voice their interests and concerns to the Commissioners. In addition, it was decided that representatives from various state agencies should be present to serve as resource persons to address issues and concerns in education, employment, burial site excavation, and other areas. The following is an outline of the proceedings of the first meeting held at the Boston Indian Council.

Open Meeting of the
Massachusetts Commission on Indian Affairs
at the Boston Indian Council

The meeting was opened at 2:15 P.M. by Commissioner Averett.

First on the agenda was Indian Health. This topic was discussed by Barbara Namias, Director of Health Services at Boston Indian Council. Her talk included the following issues.

Need for Urban Services Bill (scheduled to be submitted by May 15th)

Lack of emergency care available at Boston City Hospital

Diabetes

W.I.C. Program

Family Therapy

Community Services Program

Battered Women

Child Welfare

Housing

Elderly Program (including nutrition)

Food Pantry

The need for eye and ear exams once or twice a year

Mr. Fleischaker spoke on World Health, diabetes, Forsyth Dental School, and the Indian Health Service.

Commissioner Clark and Deirdre Almeida made a presentation on the importance of higher education.

Copies of flogos, which are being considered for our annual reports, were handed out to everyone in attendance at the Open Meeting. Mr. Peters will have copies run off and sent to the Indian organizations.

Commissioner Sapiel reiterated the commitment of the Boston Indian Council to serving all Indians in the Commonwealth.

The meeting closed at 5:15 P.M., with thanks and appreciation to all in attendance from the Commissioners.

THE 36TH ANNUAL CONVENTION OF THE GOVERNOR'S INTERSTATE
INDIAN COUNCIL, INC.

The 36th Annual Convention of the Governor's Interstate Indian Council, Inc. was held in Lansing, Michigan on September 25 - 28, 1985.

The goals of the Council are:

To bring about an early and equitable settlement of Indian treaties.

To accomplish social and economic rehabilitation so that Indians can become self-sufficient.

To improve education and training opportunities for Indians.

To encourage Indians to preserve as individuals their best traditions and values.

To promote, insure, and enhance government to government negotiation, communication, and cooperation between our respective states and tribal governments and to insure the proper protection, services, benefits, opportunities, and legal status are afforded our tribes and Indian people. (This statement was adopted at the conference.)

Workshops were held on the following:

Economic Development: Sandra Borbridge & Jane Kushner

Education: Bruce Jones & Wallace Coffey

Indian Responsibility: Scott Ratliff & Carol Whitman

Criminal Justice: John Peters

INDIAN CERTIFICATION

Attached is an updated "Indian Certification Form," which requests information on both maternal and paternal lineage. Initially, the form was developed to assist state and private agencies in identifying individuals who claimed Native American ancestry on job applications and civil service exams for the purpose of receiving priority placement in employment because of their "minority" status. In addition, use of the form has been expanded by the Commission to assist in constructing a census of Native Americans residing in the Commonwealth.

An "Indian Certification Form" is certified only when adequate supporting documentation is attached stating that the individual is a member of a particular tribe. Essentially, if the person claiming tribal descent cannot provide the Commission with a letter, band card, or tribal roll number from his or her respective tribe, the applicant will not be certified through the Commission as a bona fide Native American. This process had enabled us to eliminate many individuals who claim Native American status apparently for the sole purpose of obtaining employment, as well as protecting employment opportunities for individuals who are genuinely of Native American descent.



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CERTIFICATION OF NATIVE AMERICAN STATUS

NAME: _____ DATE OF BIRTH: _____

ADDRESS: _____ CITY: _____

STATE: _____ ZIP CODE: _____

TELEPHONE NUMBER: _____ AREA CODE: () _____

HEIGHT: _____ WEIGHT: _____ TRIBE: _____

IS YOUR TRIBE FEDERALLY RECOGNIZED? YES: _____ NO: _____

IF SO, B.I.A. # _____

MATERNAL INFORMATION

MOTHER'S NAME: _____

ADDRESS: _____ CITY: _____

STATE: _____ ZIP CODE: _____

TRIBE: _____ TRIBAL BAND # _____

GRANDMOTHER'S NAME: _____

ADDRESS: _____ CITY: _____

STATE: _____ ZIP CODE: _____

TRIBE: _____ TRIBAL BAND # _____

GRANDFATHER'S NAME: _____

ADDRESS: _____ CITY: _____

STATE: _____ ZIP CODE: _____

TRIBE: _____ TRIBAL BAND # _____

PATERNAL INFORMATION

FATHER'S NAME _____

ADDRESS: _____ CITY: _____

STATE: _____ ZIP CODE: _____

TRIBE: _____ TRIBAL BAND # _____

GRANDMOTHER'S NAME: _____

ADDRESS: _____ CITY: _____

STATE: _____ ZIP CODE: _____

GRANDFATHER'S NAME: _____

ADDRESS: _____ CITY: _____

STATE: _____ ZIP CODE: _____

TRIBE: _____ TRIBAL BAND # _____

PLEASE LIST AND ATTACH PERTINENT DOCUMENTATION: (e.g. Letter from your tribe
(verifying your membership; tribal band card; etc. The form cannot be processed
without it.)

.....
.....

APPLICANT'S SIGNATURE: _____ DATE: _____

***** DC NOT WRITE BELOW THIS LINE *****

APPROVED BY:
EXECUTIVE DIRECTOR: _____ DATE: _____

COMMENTS:

LIST OF LOCAL, REGIONAL, AND NATIONAL ORGANIZATIONS

The Commission has established and continues to maintain relationships with a range of organizations and agencies regionally and nationally as a means to better serve its Native American constituency. Below is a listing of organizations:

State

Inter-Tribal Organizations in the Commonwealth (see next page for listing)

Tribal Councils in the Commonwealth (see next page for listing)

New England Indian Task Force

Community Training and Resource Center

Massachusetts Board of Regents of Higher Education

Massachusetts Commission Against Discrimination

Massachusetts Department of Personnel Administration

Massachusetts Department of Social Services

Massachusetts Historical Commission

Massachusetts Internship Program

Massachusetts State Office of Affirmative Action

State Universities, Colleges, and Community Colleges

National

American Civil Liberties Union

Governor's Interstate Indian Council

National Congress of American Indians

National Urban Indian Council

Listed below are the names and addresses of the local tribal councils and Native American organizations that the Commission has maintained continuous contact with. These agencies constitute important resources for individuals and groups interested in specific information or assistance in particular geographic areas.

Boston Indian Council, Inc.
105 South Huntington Avenue
Jamaica Plain, MA 02130
(617) 232-0343

Bristol County Indian Council, Inc.
149 Clarendon Street
North Dartmouth, MA 02747
(617) 994-4745

Federated Eastern Indian League
Namequoit Road, P.O. Box 39
South Orleans, MA 02662
(617) 255-6195

Greater Lowell Indian Cultural Association
P.O. Box 1181
Lowell, MA 01853
(617) 957-4717

Mashpee Wampanoag Indian Tribal Council, Inc.
Route 130, P.O. Box 1048
Mashpee, MA 02649
(617) 477-0208

New England Coastal Schaghticoke Association
P.O. Box 551
Avon, MA 02322
(617) 961-1346

Nipmuc Indian Council of Chaubunagungamaug
Office of the Secretary
20 Singletary Avenue
Sutton, MA 01527
(617) 865-9828

Nipmuc Tribal Council (Hassanamisco Band)
C/O Chief Walter Vickers
2 Longfellow Road
Northboro, MA 01533
(617) 393-8860

Plimoth Plantation
Wampanoag Indian Program
P.O. Box 1620
Plymouth, MA 02360
(617) 746-1622 X50

Tecumseh House
107 Fisher Avenue, P.O. Box 98
Roxbury, MA 02120
(617) 731-3366

The Order of the Preservation of Indian Culture
502 Broad Street
Weymouth, MA 02188

Wampanoag Tribal Council of Gay Head
State Road
Gay Head, MA 02535
(617) 645-9265

STATISTICS ON ASSISTANCE AND REFERRAL

PROVIDED TO NATIVE AMERICANS

The Commission on Indian Affairs provides a variety of services to individuals, some in the form of referral to other agencies. Below are statistics which indicate the kinds of services provided and the number of individuals served over the year.

- 13 Families received information regarding foster care placement.
- 12 Individuals received assistance in applying for financial aid under the Indian Scholarship Program. Scholarships were awarded to 58 students, and 25 received information on the program.
- 9 Individuals were referred to public apartment buildings in an effort to secure housing.
- 9 Individuals were referred to attorneys or advocacy agencies for legal assistance.
- 35 Individuals were referred to public and private agencies for employment.
- 5 Individuals were referred for medical assistance.
- 15 Individuals were referred to the Department of Public Welfare for financial assistance.
- 14 Individuals were assisted with drug and alcohol problems.
- 93 Individuals received assistance in tracing their Native American ancestry.

In addition to serving the Native American population of the Commonwealth, the Commission responds to questions and concerns from the general public relative to Native American issues. The Commission Office receives between 100 - 145 calls per month, on an average.

